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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)
)
MATSUNAGA et al.)
) Group Art Unit 1637
Application Number: 10/009,363)
) Examiner Young J. Kim
Filed: March 21, 2002)
)
For: APPARATUS AND METHOD FOR GENE)
EXAMINATION)
)
ATTORNEY DOCKET: NITT.0049)

**Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231**

COVER LETTER

Sir:

[x] The fee for submission of claims is calculated as shown below:

FOR	TOTAL WITH NEW CLAIMS ADDED	TOTAL CURRENTLY ON FILE	CLAIMS PAID	RATE	CALCULATION
Total Claims	43	43	23 (Over 20)	x \$18	0
Independent Claims	20	20	17 (Over 3)	x \$88	0
MULTIPLE DEPENDENT CLAIM(S)				+ \$300	0
REDUCTION FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28). IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED				x ½	
			TOTAL		0

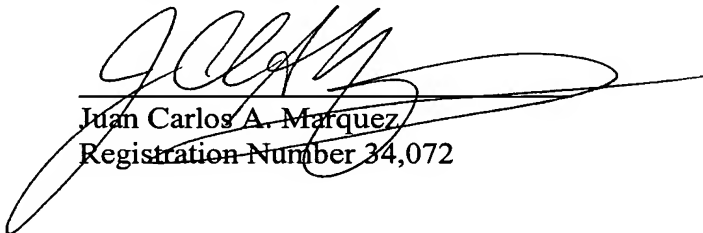
In addition, the below-identified communications are submitted in the above-captioned application or proceeding:

- | | |
|--|--|
| [X] Response to Office Action
with claim amendments | [] Petition for Extension of Time __-month |
| [] Preliminary Amendment | [] English translation of priority document |
| [] Substitute Specification | [] Letter to Draftsperson w/ page of drawings |
| | [] Assignment |

- [] Please charge my **Deposit Account Number** _____ in the amount of _____ to cover the fees for _____. A duplicate copy of this paper is enclosed.
- [] A check in the amount of \$ _____ to cover the fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment to **Deposit Account Number 08-1480**.

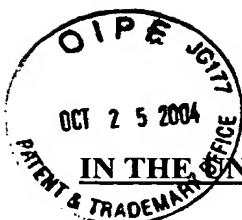
Respectfully submitted,

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October 25, 2004



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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Action mailed on October 8, 2004, the shortened period of response to which is set to expire November 8, 2004. Applicants hereby elect the continuing prosecution of Group I as recited in claims 1 - 12 and 31 - 34, directed to an apparatus for gene examination, without traverse.